

BOARD OF SUPERVISORS

Brown County

305 E. WALNUT STREET
P. O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600



E-Mail BrownCountyCountyBoard@co.brown.wi.us

PHONE (920) 448-4015 FAX (920) 448-6221

"PUBLIC NOTICE OF MEETING"

Pursuant to Section 19.84 Wis. Stat., notice is hereby given to the public that the following meetings will be held

THE WEEK OF AUGUST 10-14, 2009.

MONDAY, AUGUST 10, 2009

- | | | |
|-------------|---------------------|---|
| * 6:00 p.m. | Executive Committee | Room 200 – Northern Bldg. 305 E. Walnut Street |
|-------------|---------------------|---|

TUESDAY, AUGUST 11, 2009

- | | | |
|-------------|------------------------------------|---|
| * 5:15 p.m. | Veterans' Recognition Subcommittee | Room 200 – Northern Bldg. 305 E. Walnut Street |
|-------------|------------------------------------|---|

WEDNESDAY, AUGUST 12, 2009

- | | | |
|-------------|-----------------|---|
| * 5:30 p.m. | Board of Health | Health Department 2 nd Floor Conference Room 610 S. Broadway Street. |
|-------------|-----------------|---|

THURSDAY, AUGUST 13, 2009

- | | | |
|--------------|---|---|
| * 10:00 a.m. | Planning Commission Board of Directors Transportation Subcommittee | Metro Transportation Center 901 University Avenue |
| * 5:15 p.m. | Human Services Board | Lucia Conference Room Mental Health Center 2900 St. Anthony Drive |

FRIDAY, AUGUST 14, 2009 (No Meetings)

***Agendas Enclosed**

Any person wishing to attend who, because of a disability, requires special accommodation, should contact the Brown County Human Resources Office at 448-4065 by 4:30 p.m. on the day before the meeting so that arrangements can be made.

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E-mail bc_county_board@co.brown.wi.us

EXECUTIVE COMMITTEE

Mary Scray, Chair
Guy Zima Vice Chair
Tom Lund, Bernie Erickson
John Vander Leest, Andy Nicholson, Patrick Evans

EXECUTIVE COMMITTEE

Monday, August 10, 2009

6:00 p.m.

**Room 200, Northern Building
305 E. Walnut Street**

- I. Call meeting to order.
- II. Approve/modify agenda.
- III. Approve/modify minutes of July 6, 2009.

Comments from the Public

Communications

1. Communication from Supervisor Vander Leest re: Request for each Standing Committee to forward a list of priorities to the County Executive for preparation of the 2010 budget. (Held from July meeting.)
2. Communication from Supervisor La Violette re: Proposes that the County Board Chair, Vice-Chair and members of the Executive Committee develop both a timeline and strategies for dealing with the 2010 budget focused on effective, efficient and transparent principles that would be inclusive and respectful of all participants. (Referred from July County Board).
3. Communication from Supervisor Warpinski re: To amend Chapter 2.04(1)(d) of the Brown County Code to strike and replace the word "secret" with the word "open". (Referred from July County Board).
4. Communication from Supervisor Evans re: To appropriate additional funding for a security detail to monitor the CTC during a period of when the construction companies leave the facility and until the facility is occupied – a period of 2 to 3 weeks. (Referred from July County Board).

Legal Bills

5. Review and Possible Action on Legal Bills to be paid.

Reports

6. County Executive Report.
 - a. Budget Status Financial Report for June 30, 2009.

August 10, 2009

7. Labor Negotiator Report.
8. Internal Auditor Report.
 - a. Budget Status Financial Report for June 30, 2009.
 - b. **Closed Session:** Pursuant to sec. 19.85(1)(e) for the purpose of deliberating contractual changes with the lease of public properties at the golf course where competitive or bargaining reasons require a closed session.
 - c. Other.
9. Board Attorney Report.

Resolution, Ordinances

10. Resolution re: Establishing a Maximum Rate Assessed Against Municipalities for Contributions to the Wisconsin Retirement System. *(Referred back from July County Board).*
11. Resolution re: Change in Table of Organization Treasurer's Department *(Motion at Admin Committee was to Approve.)*
12. Resolution re: Change to Table of Organization New Zoo: Delete (1.0)0 FTE Lead Concessionaire Supervisor and create 1.0 FTE Guest Service Coordinator. *(Referred from August Education & Recreation Committee.)*
13. Resolution re: Change in Table of Organization UW-Extension Department Addition of Limited Term Employee (Healthy Lifestyles Youth Coordinator). *(Motion at Planning Development & Transportation Committee was to Approve.)*
14. Resolution re: Change in Table of Organization UW-Extension Department Addition of Limited Term Employee (Fruit and Vegetable Access Coordinator). *(Motion at Planning, Development & Transportation Committee was to Approve.)*
15. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Professional Library Employees.
16. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Shelter Care Employees.
17. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to 19.85 (1)(e). In the alternative, the Executive committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85 (1) (g) of the Wisconsin State Statutes.
18. Such other matters as authorized by law.

Mary Scray, Chair

Notice is hereby given that action by the Committee may be taken on any of the items, which are described or listed in this agenda.

Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

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PHONE (920) 448-4015 FAX (920) 448-6221

VETERANS SUBCOMMITTEE

Jack Krueger, Chair

Sherry Steenbock, Vice Chair

Donald Bettine, John Walschinski, James Haskins,
Kristen Verhaagh, Duane Pierce, John Maino.

****Running Total of Veterans' Certificates: 1114**

VETERANS' RECOGNITION SUBCOMMITTEE

Tuesday, August 11, 2009

****5:15 p.m.****

Room 200, Northern Building
305 E. Walnut Street

1. Call Meeting to Order.
2. Invocation by Jim Haskins.
3. Approve/Modify Agenda.
4. Approve/Modify Minutes of July 14, 2009.
5. Report from Jerry Polus on Final Veterans' Day at the Brown County Fair.
6. Report from John Maino, if available.
7. Monthly Report from CVSO Jerry Polus.
8. Approve Dollar Amount to be Spent on the Brown County Fair.
9. Approve Amount to be Spent for Veteran Service Office Staff T-Shirts.
10. Report from Chair Krueger.
11. Report from Committee Members.
12. Such other matters as authorized by law.
13. Adjourn.

Jack Krueger, Chair

Notice is hereby given that action by Committee may be taken on any of the items which are described or listed in this agenda.

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Word97agenda/humsvc/Veterans'Subcmte/August11_2009.doc

**BROWN COUNTY BOARD OF HEALTH
WEDNESDAY, AUGUST 12, 2009
5:30 PM**

Brown County Health Department
610 So Broadway St, 2nd Floor Conference Room
Green Bay, WI 54305
Conference Room Phone #: 920-448-6444

AGENDA

1. Call to Order, Introductions & Board Status Update
2. Approval/ Modification of the Agenda
3. Approval of Minutes of June 9, 2009
4. Approval of Department Proposal for 2010 Budget
5. Update Odor Issues
6. Novel H1N1 (Swine) Influenza A Planning
7. Director's Report
8. Any Other Business Authorized by Law
9. Adjournment/ Next Meeting

Please RSVP attendance to Juli Gray at 448-6405 no later than 4:30 PM Friday, August 7, 2009. Thank-you!

Notice is hereby given that action by this board may be taken on any of the items which are described or listed in this agenda.

AGENDA
BROWN COUNTY PLANNING COMMISSION BOARD OF DIRECTORS
TRANSPORTATION SUBCOMMITTEE
Thursday, August 13, 2009
Green Bay Metro Transportation Center
901 University Avenue
Green Bay, Wisconsin
10:00 a.m.

ROLL CALL:

(Voting)

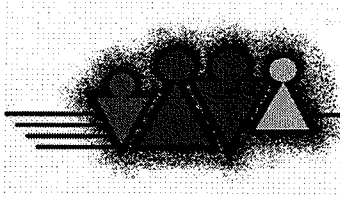
| | | | |
|------------------|-------|------------------------|-------|
| Jeff Agee-Aguayo | _____ | Tom Klimek | _____ |
| Bill Balke | _____ | Brian Lamers | _____ |
| Bob Bartelt | _____ | Doug Martin | _____ |
| Craig Berndt | _____ | Rebecca Meert | _____ |
| Graham Callis | _____ | Tom Miller | _____ |
| Chris Culotta | _____ | Chris Phelps | _____ |
| Mike Finn | _____ | Lee Schley, Vice-Chair | _____ |
| Ed Kazik | _____ | Ed Wiesner | _____ |

(Non-voting)

| | |
|-----------------------------------|-------|
| David Lowe (WisDOT – Madison) | _____ |
| Dwight McComb (FHWA – Madison) | _____ |
| Angelica Salgado (FTA Region 5) | _____ |
| Carlos Pena (FHWA – Madison) | _____ |
| Bobbi Retzlaff (WisDOT – Madison) | _____ |
| Aileen Switzer (WisDOT – Madison) | _____ |
| William Wheeler (FTA Region 5) | _____ |

ORDER OF BUSINESS:

1. Approval of the May 18, 2009, Transportation Subcommittee meeting minutes.
2. Election of a Transportation Subcommittee chairperson and vice-chairperson.
3. Recommendation to the BCPC Board of Directors regarding the 2010 Transportation Planning Work Program.
4. Recommendation to the BCPC Board of Directors regarding the 2010-2014 Transportation Improvement Program for the Green Bay Urbanized Area.
(Please bring the draft TIP that was sent to you in July to this meeting.)
5. Any other matters.
6. Adjourn.



Human Services Department

Thomas D. Eggebrecht, Interim Executive Director

111 N. Jefferson Street, Green Bay, WI 54301

Phone: (920) 448-6001, Fax: (920) 448-6126; E-Mail: Eggebrecht_TD@co.brown.wi.us

MEETING OF THE HUMAN SERVICES BOARD

Thursday, August 13, 2009

**MENTAL HEALTH CENTER
2900 ST. ANTHONY DRIVE, GREEN BAY, WI
LUCIA CONFERENCE ROOM
5:15 P.M.**

AGENDA

1. Call Meeting to Order.
2. Approve/Modify Agenda.
3. Approve Minutes of July 21, 2009 Human Services Board Meeting.
4. Drug Court Presentation.
5. Family Care Update.
6. Community Treatment Center Update.
7. Bellin Hospital Statistical Update.
8. Mental Health Center Statistical Update.
9. Contract Update.
10. Director's Report.
11. Any Other Matters.
12. Adjourn Business Meeting.

Notices:

Notice is hereby given that action by the Human Services Board may be taken on any of the items, which are described or listed in this agenda.

Please take notice that additional members of the Board of Supervisors may attend this meeting of the Human Services Board, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

Any person wishing to attend the Human Services Board meeting who, because of a disability, requires special accommodations, should contact the Human Services Department at (920) 448-6006 by 4:30 p.m. on the day before the meeting so that arrangements can be made.

AUGUST 2009



| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|---|--------------------------------------|--|--|--------|----------|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 Public Safety 5pm | 6 Ed & Rec 5:30pm | 7 | 8 |
| 9 | 10 Executive Cmte 6pm | 11 Vets' Recognition 5:15pm | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 EMS 1:30pm Board of Supervisors 7pm | 20 Facility Master Plan SubCmte 5:15pm Ed & Rec 5:30pm | 21 | 22 |
| 23 | 24 Land Con 7pm/ Plan Develop & Trans 7:30pm | 25 | 26 Human Svc Cmte 6pm | 27 Administration Cmte 5:30pm | 28 | 29 |
| 30 | 31 | | | | | |

SEPTEMBER 2009

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--|--|--|---|--------|----------|
| | | | 1 Public Safety 5pm | | | |
| | | 2 | 3 | 4 | 5 | |
| 6 | 7 Executive Cmte 6pm - <i>tentative</i>  Labor Day | 8 Vets' Recognition 5:15pm | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 Homeless 3:30pm | 16 Board of Supervisors 7pm | 17 Facility Master Plan SubCmte 5:15pm | 18 | 19 |
| 20 | 21 | 22 | 23 Human Svc Cmte 6pm | 24 Administration Cmte 5:30pm | 25 | 26 |
| 27 | 28 Land Con 7pm Plan Develop & Trans 7:30pm | 29 Criminal Justice Coord Bd 3:30pm | 30 | | | |

BROWN COUNTY COMMITTEE MINUTES

- Children with Disabilities Education Board of July 28, 2009
- Planning Commission Board of Directors of July 1, 2009
- Planning Commission Board of Directors Chapter 21 Subdivisions Ordinance Revision Subcommittee of June 25, 2009

To obtain a copy of the above minutes:

http://www.co.brown.wi.us/minutes_and_agendas/

OR

Contact the Brown County Board Office or the County Clerk's Department

PROCEEDINGS OF THE CHILDREN WITH DISABILITIES EDUCATION BOARD:

A regular meeting was held on: Tuesday, July 28, 2009

Present: J. Van Sistine, M. Greenlaw, B. Clancy

Excused: K. Prast, S. King

Also Present: B. Natelle, S. Keckhaver

1. Call to order – 4:00 p.m. - J. VanSistine.
2. Approval June 23, 2009 Board Minutes: B. Clancy moved to approve the minutes of the June 23, 2009 Board meeting. M. Greenlaw seconded the motion. Motion carried.
3. Correspondence: None.
4. Approval of Agenda: M. Greenlaw moved to approve the agenda with the corrected numbering as presented. B. Clancy seconded the motion. Motion carried.
5. Action Item: Donations: De Pere Christian Outreach made a generous donation of \$10,000 which has been designated toward the purchase of a school vehicle.

The Belson Company donated several cases of paper products to the school.

The Brown County Tavern League sponsored Bay Beach Day for our students on June 1st. They provided lunch, tickets for the rides and volunteers so that all the students could enjoy the rides.

Edward and Diane Kiley donated \$100 to be used for Hopp needs.

The Brown County Community Women's Club donated \$300 which has been designated for the S.O.A.R. summer program.

The Knights of Columbus #6464 (Oneida) donated \$224.67 from the proceeds of their Tootsie Roll sale.

The Wrightstown Lions Club donated \$300 to be used for Hopp needs.

The De Pere Men's Club donated \$500 toward the S.O.A.R. summer program.

Mary Schuster donated \$5 toward the S.O.A.R. end of program picnic.

Dave LaBar of Ashwaubenon Lanes donated \$100 as a sponsor for the Dash for a Splash event to be held in September.

B. Clancy moved to accept these generous donations. M. Greenlaw seconded the motion. Motion carried.
6. Action Item: Financial Report: M. Greenlaw moved to receive and place on file the Financial Report for the period ending June 30, 2009. B. Clancy seconded the motion. Motion carried.

PROCEEDINGS OF BROWN COUNTY CDEB MEETING JULY 28, 2009:

7. **Action Item Approval of transfer from Fund 10 to Fund 27 and Fund 50 for end of year records:** E. Natelle explained that DPI mandates a full transfer of funds at the end of the school year from Fund 10 to Fund 27 and Fund 50 if needed. This practice takes place each year at the close of the school financial statement. The school auditors also support the mandate.

E. Keckhaver reported that a full transfer of \$2,609,203.05 must be made to balance out Fund 27 receiving \$2,604,165.96 and Fund 50 receiving \$5,037.09. This has been the required practice for all school districts per WDPI for the past several years and now has also become a required practice school district auditor.

E. Clancy moved to authorize the fund transfers from Fund 10 to Fund 27 and Fund 50. M. Greenlaw seconded the motion. Motion carried.

8. **Administrators Report:**

- a. Three years ago B. Natelle reported to the Board about the generosity of the Weyers Foundation to build a duplex for our functional living component on the property on the corner lot behind the school. This property is currently owned by the school. The Weyers Foundation volunteered to raise the dollars and secured donations to build this duplex. The school has had an apartment for the High School children to practice skills for the past 18 years. The duplex was dedicated two years ago and has two full school years of use. The students enjoy their experiences and learned a great deal. The duplex was used both during the days and also evenings as a training site.

The second side of the duplex is rented to graduates of Hopp School.

- b. Mrs. Natelle explained SOAR began Tuesday, July 8th and ran for three weeks. The pool was used daily during the SOAR Program. It was reported that SOAR continues to use the CBI component with the High School students going out in the community on Tuesdays for the second year. There are approximately 70 children participating.

The Corrigan's will be holding their Tractor Pull on Saturday, August 1st that will benefit the school for its "wish-list" items. Both staff and parents help work this event along with the Denmark FFA Alumni who sell food that day.

- c. B. Natelle reports in a conversation with E. Christus, Parks Director for the DePere Park and Rec Department will continue to offer warm water therapy classes at the Syble Hopp School pool in the fall. This is the second year of this partnership and it was very successful with many community members commenting on their happiness to use the pool.
- d. The Board has set Tuesday, August 25th at 4:00 p.m. for its next meeting.

PROCEEDINGS OF BROWN COUNTY CDEB MEETING JULY 28, 2009:

- B. Clancy moved to accept the Administrators Report. M. Greenlaw seconded motion. Motion carried.
9. Action Item: Bellin School of Nursing Agreement: Tabled.
10. Approval of Room Agreements: Tabled
11. Action Item: ESEA-Title II Part A; Title IV Part A: Tabled
12. Action Item: Resignation: B. Natelle read a statement prepared by S. Goron regarding the presentation of Nicole Williams last month. The Board offered Ms. William's a teaching contract beginning August, 2009. Ms. Williams has since declined the position. Ms. William's letter of resignation was read. B. Clancy moved to accept the resignation. M. Greenlaw seconded the motion. Motion carried.
13. Action Item: Approval of replacement position: B. Natelle read a statement prepared by S. Goron regarding the replacement of N William's. Terry Schaefer is being presented to the board for hire as an EC Teacher beginning the 2009 school year. Ms. Schaefer is a graduate of UW-Oshkosh. M. Greenlaw moved to approve the hiring of Ms. Schaefer. B. Clancy seconded the motion. Motion carried
14. Payment of bills: M. Greenlaw moved to pay the bills totaling \$103,447.43 for the General Fund and \$47,801.26 for the Pool Fund ending June 30, 2000. B. Clancy seconded the motion. Motion carried.
15. Approval of School Fees and Lunch Prices: B. Natelle reported that the school lunch program is self-funded. This past year with the increase in food costs and the decrease in the amount of commodities that we have received the board had to transfer \$5,037.09 to cover the costs. In anticipation of continued rise in food costs and the school has learned that we will not receive commodities until January instead of September the increase could be substantial for next year. The following prices are recommended for the 2009-10 school year: Students: Full-priced Breakfast .75¢, Reduced-priced Breakfast .30¢, Full-priced Lunch \$2.10; Reduced-priced Lunch .40¢; Extra Milk .30¢; Adults Lunch \$3.00. M. Greenlaw moved to set student breakfast prices at .75¢ and 30¢ and student lunch prices at \$2.10 and 40¢ with extra milk at .30¢; and adult lunches at \$3.00;. B. Clancy seconded the motion. Motion carried.
- Student school fees were reviewed for the area districts and found that the Hopp fees should remain at \$15 for early childhood, primary and intermediate age students; \$25 for high school age students. B. Clancy moved to keep the fees at \$15 and \$25 for 2009-10 school year. M. Greenlaw seconded the motion. Motion carried.
16. Reading of Board Policy 5.083(1)(2)(3) Emergency Nursing Services and Medications: The Board reviewed Board Policy 5.083(1)(2)(3) Emergency Nursing Services and Medications as recommended by the School Nurse, A. Hanchek, and supported by administration. This policy will be presented at the August meeting for approval.

PROCEEDINGS OF BROWN COUNTY CDEB MEETING JULY 28, 2009:

17. Action Item: Second reading of Board Policy 5.11(a) and 5.11(b) Verify free and reduced price meal eligibility and Offer vs. serve Food service provisions policy, S Keckhaver explained this was the second reading of the policy with the suggested minor changes M. Greenlaw moved to approve the policies as presented. B. Clancy seconded the motion. Motion carried.
18. Action Item: Parent Organization. The Parent Organization held their annual golf outing on July 11th at Hilly Haven. The outing had fewer golfers due to the economy however, was again a successful event. B. Clancy moved to receive and place on file. M. Greenlaw seconded the motion. Motion carried.
19. Executive Session: The board will move to executive session as allowed by Wisconsin Stats 19.85 (1)(e) (f) (b) to discuss personnel and negotiations: B. Clancy moved to Executive Session and adjourn from Executive session as allowed by Wisconsin Stats 19.85 (1)(f)(e) to discuss personnel and negotiations. M. Greenlaw seconded the motion. Motion carried.
20. Adjournment: B. Clancy moved to adjourn the meeting at 5:00 pm. M. Greenlaw seconded the motion. Motion carried.

MINUTES
BROWN COUNTY PLANNING COMMISSION
BOARD OF DIRECTORS
Wednesday, July 1, 2009
Green Bay Metro Transportation Center
901 University Avenue, Commission Room
Green Bay, WI 54302
6:30 p.m.

ROLL CALL:

| | | | |
|----------------------|------------|-----------------------|------------|
| Daniel Bertrand | <u>X</u> | Dotty Juengst | <u>X</u> |
| Paul Blindauer | <u>X</u> | John Klasen | <u>X</u> |
| James Botz | <u>Exc</u> | Pat Kolarik | <u>X</u> |
| Keith Chambers | <u>X</u> | Andy Lundt | <u>Abs</u> |
| William Clancy | <u>Abs</u> | Patrick Moynihan, Jr. | <u>X</u> |
| Norbert Dantine, Jr. | <u>Exc</u> | Ken Pabich | <u>Exc</u> |
| Ron DeGrand | <u>X</u> | Mike Soletski | <u>Exc</u> |
| Bernie Erickson | <u>X</u> | Alan Swatloski | <u>X</u> |
| Mike Fleck | <u>X</u> | Mark Tumpach | <u>X</u> |
| Steve Grenier | <u>X</u> | Jerry Vandersteen | <u>X</u> |
| Mark Handeland | <u>Exc</u> | Tim VandeWettering | <u>X</u> |
| Phil Hilgenberg | <u>X</u> | Dave Wiese | <u>X</u> |

OTHERS PRESENT: Chuck Lamine, Peter Schleinz, and Stephen Wesoloski.

The meeting was called to order by P. Blindauer, vice president, at 6:30 p.m.

C. Lamine introduced the newest Board member, Mark Tumpach, who represents the City of Green Bay. There are no longer any vacant positions on the BCPC Board of Directors.

1. Approval of the minutes of the June 3, 2009, regular meeting of the Brown County Planning Commission Board of Directors.

A motion was made by P. Moynihan, seconded by R. DeGrand, to approve the minutes as presented. Motion carried unanimously.

2. Receive and place on file the minutes from the Chapter 21 Subdivisions Ordinance Revision Subcommittee meetings on March 5, March 26, and April 30, 2009.

P. Blindauer clarified that the subcommittee is an advisory committee to the BCPC Board of the Directors.

A motion was made by D. Bertrand, seconded by B. Erickson, to receive and place on file the minutes. Motion carried unanimously.

3. **Public Hearing:** Environmentally sensitive area (ESA) amendment located in the Village of Suamico proposing the removal of 0.03 acres of wetland ESA from private property and the addition of 0.07 acres of wetland ESA on nearby property. (ESA 2009-02 SUA)

P. Schleinz opened the public hearing at 6:34 p.m. with a short description regarding the proposed amendment, which included the loss of .03 acres of wetland due to the need for a driveway to serve as a secondary access and

emergency ingress/egress to a commercial area. The proposal altered a major ESA amendment that was approved in 2007 by the BCPC Board of Directors.

P. Schleinz asked three times if anyone wished to speak at the public hearing. Hearing no one, the public hearing was closed at 6:37 p.m.

4. Environmentally sensitive area amendment located in the Village of Suamico proposing the removal of 0.03 acres of wetland ESA from private property and the addition of 0.07 acres of wetland ESA on nearby property. (ESA 2009-02 SUA)

A motion was made by M. Fleck, seconded by J. Vandersteen, to approve the amendment subject to conditions identified in the report. Motion carried unanimously.

P. Blindauer asked about three monitoring wells that are shown on the maps.

P. Schleinz identified that the wells were part of a wetland mitigation project that has been underway between the petitioner and the Army Corps of Engineers.

Stephen Wesoloski, an agent representing Midwest Expansion, confirmed and described the function of the wells.

5. Director's report.

- a. Update regarding 2010 funding for Bay-Lake Regional Planning Commission.

C. Lamine provided a follow-up regarding action by the County Board to retain membership with the Bay-Lake Regional Planning Commission (BLRPC). The County Board action to withdraw Brown County from BLRPC failed by a 12-12 vote. C. Lamine and C. Runge from Brown County Planning staff met with Mark Walter and Richard Heath of the BLRPC to discuss future projects, fee reductions, and future services that would develop measurable projects in order to identify what services are being returned to Brown County for our \$85,000 fee. C. Lamine did not think a fee reduction would occur and felt a bit frustrated that Brown County may not be viewed as a member and a client with an expectation of services. C. Lamine stated that he is waiting for budget targets and stated that this year's budget will be very challenging.

C. Lamine thought that BLRPC should be doing their best to work more for Brown County with projects such as assisting with the update to the Farmland Preservation Plan. This plan update was recently mandated as part of the state budget. Brown County may be getting \$30,000 for the project which may cost \$100,000 to complete.

B. Erickson asked if the \$30,000/\$100,000 project would mean we would cut an additional \$70,000 for BLRPC if they helped. He also stated that we should keep an ongoing record of projects and services being performed for \$85,000 and any payout made for work under that amount.

P. Blindauer asked if there were issues brought up by the County Board that were not addressed by the BCPC Board of Directors.

C. Lamine stated that most of the votes to support funding for BLRPC were sincere supporters of the need for planning and he did not recall any additional issues beyond those discussed by the Planning Commission.

S. Grenier asked if there were recommendations by the County Board about how to fill the \$85,000 gap in the Planning budget.

C. Lamine state that Supervisor Warpinski, suggested using the general fund to pay for the BLRPC, and others suggested removing it from the Planning budget.

P. Kolarik asked if Planning staff spoke with the same person from BLRPC that attended the May Board of Directors meeting.

C. Lamine stated they spoke with Mark Walter, BLRPC Director, and Richard Heath and that M. Walter was the person that attended the May Board of Directors meeting. C. Lamine also stated that we cannot wait too long to coordinate with BLRPC in order to achieve a good high level of service.

P. Kolarik stated that it needs to get through to M. Walter that the Board of Directors expects these services.

P. Blindauer stated that there needs to be a clear paper trail from BLRPC that documents their commitment to us regarding the projects they do.

B. Erickson stated there should be a running tab with staff updates regarding what happens every month so the Board of Directors can complete an annual review for the budget.

C. Lamine stated we would want measurable information that can be compared to the costs.

The Board of Directors asked for measurable information from BLRPC to be placed in their monthly packets.

C. Lamine then discussed the TIP packets that were distributed at the beginning of the meeting. This was done to reduce a significant amount in mailing costs. Those who were not in attendance would be mailed their copy.

6. Brown County Planning Commission staff updates on work activities during the month of June 2009.

A motion was made by M. Fleck, seconded by S. Grenier, to receive and place on file the staff updates. Motion carried unanimously.

7. Other matters.

S. Grenier thanked the BCPC because his community, City of Green Bay, received stimulus funding to rebuild Manitowoc Road between Main and Greenbrier, less the bridge.

8. Adjourn.

A motion was made by B. Erickson, seconded by J. Vandersteen, to adjourn. Motion carried unanimously. The meeting adjourned at 6:55 p.m.

:pjs

MINUTES
BROWN COUNTY PLANNING COMMISSION BOARD OF DIRECTORS
CHAPTER 21 SUBDIVISIONS ORDINANCE REVISION SUBCOMMITTEE

Thursday, June 25, 2009

Sophie Beaumont Building

111 N. Jefferson St., Conference Room B (Room E7)

Green Bay, WI

3:00 p.m.

ROLL CALL:

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|-------------------|-------------|----------------|-------------|
| Michael Soletski | <u>X</u> | Dennis Reim | <u>X</u> |
| Bill Bosiacki | <u>Exc.</u> | Graham Callis | <u>X</u> |
| David Chrouser | <u>X</u> | Norb Dantine | <u>X</u> |
| Pat Ford | <u>X</u> | Pat Kaster | <u>X</u> |
| Chuck Lamine | <u>X</u> | Jon Motquin | <u>X</u> |
| Michael Vande Hei | <u>X</u> | Andrew Vissers | <u>Exc.</u> |
| Jim Wallen | <u>X</u> | | |

OTHERS PRESENT: Jim Griffin, Micoley & Company; Paul Kosmoski, Kos Management; Julie Yelle, Brown County Home Builders Association; and Jill Hendricks, Vision Realty & Development

1. Introductions.

The meeting was called to order by M. Soletski at 3:04 p.m.

John Luetscher, Brown County Corporation Counsel, several representatives from the Brown County Home Builders Association, and local realtors introduced themselves.

2. Approval of the May 28, 2009, minutes.

M. Soletski emailed Brown County staff with two proposed changes for the May 28, 2009, minutes. They included the addition of a paragraph summarizing that N. Dantine would talk with all town chairpersons in Brown County to assess their feelings on requiring Certified Survey Maps (CSMs) for all land divisions under 40 acres and a paragraph summarizing that M. Vande Hei had indicated this issue had not been discussed by the Town of Lawrence Planning Commission.

Motion by P. Kaster, seconded by C. Lamine, to approve the May 28, 2009, minutes with the two changes as requested by M. Soletski. Motion carried unanimously.

3. Review and action regarding the draft of proposed revisions to the Brown County Subdivision Ordinance (Chapter 21 of the Brown County Code).

a. Land division applicability - 40 acre parcel size (s. 21.04)

M. Soletski indicated that Brown County staff members had discussed agenda items prior to this meeting. He requested that C. Lamine and J. Motquin provide a brief staff report.

C. Lamine indicated that Brown County staff had proposed changing Chapter 21 to require CSMs for all land divisions for 40 acres or less because several local municipalities had expressed concerns over zoning issues involving land divisions between 10 and 40 acres. Although several communities had expressed initial interest, formal board action or involvement at the subcommittee meetings had been minimal to date. Brown County staff and the assembled subcommittee had come to the consensus that the zoning issues being faced would be best handled at the local level. He also stated that local ordinances could be changed to require CSMs for land divisions 40 acres and under in local subdivision ordinances.

J. Motquin distributed a map which detailed land division requirements within county subdivision ordinances in Wisconsin. He indicated that approximately 50% of counties have ordinances which require CSMs for land divisions 10 acres or less and the remaining counties had provisions requiring CSMs for land divisions 15 to 40 acres or less.

C. Lamine indicated that in the future, Brown County staff would provide specific recommendations for the subcommittee to consider and all related background research.

Brown County Planning Commission staff recommended that no change was needed to the Subdivision Code and to continue to require CSMs for all land divisions 10 acres or less outside of the Sewer Service Area and 40 acres or less within the Sewer Service Area.

Motion by D. Chrouser, seconded by N. Dantine, to follow staff's recommendation to leave the CSM requirement as it is currently in s.21.04 which is 10 acres or less outside the Sewer Service Area and 40 acres or less within the Sewer Service Area. Motion carried unanimously.

D. Chrouser asked if Planning staff would continue to allow for approximate wetland delineations and ESA determinations in situations where property owners requested lots exceeding 10 acres in size to be platted.

J. Motquin indicated that there are no anticipated changes in review practices with respect to ESA delineations.

b. Land division applicability – Lot line adjustments (s. 21.04)

J. Motquin indicated that the reasoning to require land divisions for lot line adjustments was to ensure that all land divisions were reviewed by either local officials or Brown County staff. He indicated that requiring CSMs for lot line adjustments had been proposed as a tool to be utilized in conjunction with the 40 acre requirement previously discussed at this meeting.

J. Motquin indicated that Brown County staff's recommendation is to keep the existing ordinance language regarding lot line adjustments.

Motion by D. Reim, seconded by P. Kaster, to follow staff's recommendation to leave the lot line adjustment language in s. 21.04 unchanged. Motion carried unanimously.

c. Clarification of language for combination CSMs (s. 21.50)

J. Wallen indicated that the use of combination CSMs has increased from the original intent of the created ordinance language. Combination CSMs must be completed if a tax parcel is to be eliminated from Brown County records. The proposed language allows for broader usage of combination CSMs in practice. The existing requirements for combining parcels will remain the same. The proposed language would allow for combining two or more parcels into fewer parcels. In researching the language, proposed changes were made in s. 21.49.

21.49 COMBINING PARCELS. A certified survey map shall be required for the combining of two or more existing tax parcels or existing parcels of record into ~~fewer parcels~~ ~~a single lot~~ unless such combining is required by the local assessor or Brown County Property Listing and is necessary for valuation purposes under s.70.23(2), Wisconsin Statutes. Certified survey maps used to combine existing tax parcels or existing parcels of record must meet the following requirements:

- (1) The map shall be prepared in accordance with s.236.34, Wisconsin Statutes, and shall comply with the surveying requirements of Section 21.50 of this ordinance.
- (2) The map shall be headed "CERTIFIED SURVEY MAP" and sub headed "COMBINING OF PARCELS DESCRIBED IN *[list recorded documents]*."
- (3) The surveyor's certificate shall include the statement that "this certified survey map is not a division of property but a combining of and depiction of the parcels recorded in" *[list recorded documents from Brown County Records]* ~~into a single parcel and description.~~
- (4) The parcels being combined must meet the following standards:
 - (a) They shall be contiguous.
 - (b) They shall be under identical ownership.
 - (c) They shall be within the same municipality and taxing jurisdictions.
- (5) The approval procedure for such certified survey maps shall be in accordance with Section 21.48(6) of this ordinance. The Brown County Property Listing Office shall have objecting authority in the certified survey map approval process.
- (6) The certified survey map shall be filed for recording with the Register of Deeds of Brown County within 30 days of the date of the certified survey map's approval and shall include the signed certificates of the surveyor, property owner, the Brown County Treasurer, and the Brown County Planning Commission. The recording data, including the CSM number, volume and page number, shall be noted on the final approved map, and the appropriate number of copies shall be forwarded to the Brown County Planning Commission for distribution to the appropriate review agencies and municipalities. Local municipalities shall be notified by Brown County of all parcel combinations recorded under this section for the purpose of

transferring any unpaid taxes or special assessments to the new lot(s) created by the combined parcels.

A motion was made by D. Chrouser, seconded by P. Kaster, to adopt proposed language changes in s. 21.49 as recommended by staff. Motion carried unanimously.

d. Lot and Outlot characteristics discussion (s. 21.63 and proposed s. 21.67)

N. Dantine indicated there is confusion about the definition of an outlot. "Outlots" are sold by developers in association with larger commercial developments such as shopping malls. He questioned if these outlots were substandard and indicated a desire to clarify the definition of an outlot.

J. Motquin indicated that Wis. Stats. 236 provides a specific definition for an outlot. An outlot is a parcel of land, other than a lot, block, or dedicated street so designated on a plat.

J. Wallen indicated that an outlot is not necessarily non-standard. If a parcel is to be platted as a non-standard parcel, it must receive the appropriate variances at the time of platting. The current definition in the Brown County Subdivision Ordinance is adequate to allow for flexibility in outlot designations.

J. Motquin discussed the current definition of an outlot in Chapter 21 and the proposed language for outlots.

Several questions were raised in regards to the proposed changes.

D. Reim indicated that the definition and the proposed language read as if both sections were both definitions. He would like to see clarification in the wording of the proposed ordinance language.

C. Lamine indicated that the proposed requirements for ownership of outlots was too narrow. He indicated he would like to see more flexibility in ownership of outlots.

Subcommittee members held discussions regarding the status and time period of ownership entities. Some entities such as LLCs were temporary in nature and may not be suitable.

J. Wallen and J. Motquin indicated that a specific traceable entity must be assigned ownership at the time of platting to ensure that the newly created tax parcel would be owned by a viable entity. If the entity is a recognized corporation by the Wisconsin Department of Financial Institutions (DFI), it would be acceptable to designate either the corporate entity or identify the individual contact listed on the DFI website.

J. Luetscher indicated that a specific definition for entity exists in Wisconsin Statutes. This definition encompasses most ownership types possible. He

suggested including this definition in the revised version of Chapter 21 and using the verbiage "viable entity" in the proposed text.

J. Motquin indicated that developers would continue to provide restrictive covenants for the usage, maintenance, and ownership transfer of outlots at the time of platting. Discussion was held regarding these requirements. Discussion included stormwater management facilities construction, maintenance, and ownership; outlots dedicated to the public; and initially landlocked parcels. Discussion clarified the requirements for each topic and feasible verbiage requirements.

D. Reim requested a clarification of Planned Unit Developments (PUDs) and how they related to labeling proposed parcels as lots versus outlots.

J. Motquin indicated PUDs were developments that were designed as a whole unit to allow for flexibility and creativity in subdividing parent parcel(s). Chapter 21 allows specifically identified platting requirements to be waived at the time of platting to promote sound planning principles. PUDs are required to be subtitled as such at the time of platting. All new proposed parcels within a PUD are designated as lots and are buildable.

J. Motquin commented on the Urban Edge Development in Suamico and discussed the history of the PUD. Two landlocked lots were approved by the Brown County Planning Commission Board of Directors. The development was the result of extensive communication between the developer, the Village of Suamico, and Brown County Planning Commission.

M. Soletski indicated that it appeared that the subcommittee had reached a consensus regarding the proposed outlot language. Due to the existing concerns discussed he entertained a motion to have staff re-draft the language and discuss the changes at the next meeting.

A motion was made by P. Kaster, seconded by D. Reim, to allow Brown County staff to edit proposed changes to reflect the discussion at this meeting and review the edits at the next meeting in July. Motion carried unanimously.

4. Other Matters.

A discussion was held on the ownership of stormwater management facilities. The subcommittee concurred that Chapter 21 was an inappropriate means to regulate these facilities. It is more suitable for local municipalities to develop their own criteria and ordinances regulating stormwater management.

5. Establish next meeting date.

The Chapter 21 Subdivisions Ordinance Revisions Subcommittee meetings are the last Thursday of each month. The next meeting will be Thursday, July 30, 2009. The meeting will be in Room 200 of the Northern Building.

J. Motquin indicated that both the regularly scheduled November and December 2009 meeting dates conflict with holidays. He has tentatively reserved meeting rooms for

November 19 and December 17. Committee members agreed to check calendars prior to the next meeting to address any potential scheduling conflicts. Exact dates will be determined at the next meeting.

Brown County staff has reserved either Sophie Beaumont Room E7 or Northern Building Room 200 for all upcoming meetings through March 2010 due to the anticipated public interest in the upcoming topics.

6. Adjourn.

A motion was made by P. Kaster, seconded by J. Wallen, to adjourn. Motion carried unanimously. The meeting adjourned at 4:10 p.m.